Remarks

The above Amendments and these Remarks are in reply to the Office Action mailed March 26, 2007.

I.   Summary of Examiner's Rejections

Prior to the Office Action mailed March 26, 2007, Claims 1-38 were pending in the Application. In the Office Action, Claims 1-6, 8-12, 14, 15, 17-20, 22, 24, 29, 30, 32, 34, 37, and 38 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 29-36 and 38 were rejected under 35 U.S.C. 101 for being directed to non-statutory subject matter. Claims 1-3, 8, 9, 11-15, 17-19, 22, 24, 25, 29, 32, 34 and 36-38 were rejected under 35 U.S.C. 103(a) as being unpatentable over Shen et al. (US 2004/0221322 A1) (hereinafter "Shen") in view of Plow et al. (US 6,429,883 B1) (hereinafter "Plow"). Claims 4-7, 10, 20, 21, 23, 30, 31 and 33 were rejected under 35 U.S.C. 103(a) as being unpatentable over Shen in view of Plow in view of Takata et al. (EP 0990998 A2) (hereinafter "Takata"). Claims 16, 26 and 35 were rejected under 35 U.S.C. 103(a) as being unpatentable over Shen, in view of Plow, and further in view of Smith (US 5,933,141) (hereinafter "Smith"). Claims 27 and 28 were rejected under 35 U.S.C. 103(a) as being unpatentable over Shen, in view of Plow, and further in view of Frank et al. (US 5,651,107) (hereinafter "Frank").

II.   Summary of Applicant's Amendments

The present Reply amends the Specification by adding a Brief Summary of the Invention; cancels Claims 17, 25, 36, and 38; amend Claims 1-6, 8-15, 18-20, 22, 24, 27-29, 30, 32, 34, and 37; adds Claim 39; leaving for the Examiner's present consideration Claims 7, 16, 21, 23, 26, 31, 33, and 35.

III.   Claim Rejections under 35 U.S.C. §112
Claims 1-4, 6, 8-10, 12, 14, 15, 17-19, 24, 29, 34, 37, and 38

In the Office Action mailed March 26, 2007, Claims 1-4, 6, 8-10, 12, 14, 15, 17-19, 24, 29, 34, 37, and 38 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite

for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. More specifically, the Claims were rejected because the use of the word "can" rendered the claims indefinite.

Claims 1-4, 6, 8-10, 12, 14, 15, 17-19, 24, 29, 34, 37, and 38 have been amended as shown above wherein the use of the word "can" has been eliminated. Applicant respectfully submits that the claims as amended now conform to the requirements of 35 U.S.C. 112, second paragraph, and reconsideration thereof is respectfully requested.

Claims 4, 11, 15, 20, 22, 24, 30, 32, and 34

In the Office Action mailed March 26, 2007, Claims 4, 11, 15, 20, 22, 24, 30, 32, and 34 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. More specifically, the Claims were rejected because the phrase "and/or" rendered the claims indefinite.

Claims 4, 11, 15, 20, 22, 24, 30, 32, and 34 have been amended as shown above wherein the use of the phrase "and/or" has been eliminated. Applicant respectfully submits that the claims as amended now conform to the requirements of 35 U.S.C. 112, second paragraph, and reconsideration thereof is respectfully requested.

Claim 5

In the Office Action mailed March 26, 2007, Claim 5 was rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. More specifically, the Claim was rejected because there was insufficient antecedent basis for the limitation "the relevance number."

Claim 5 has been amended as shown above and Applicant respectfully submits that the claim as amended now conforms to the requirements of 35 U.S.C. 112, second paragraph, and reconsideration thereof is respectfully requested.

IV.   Claim Rejections under 35 U.S.C. §101

In the Office Action mailed March 26, 2007, Claims 29-36 and 38 were rejected under 35 U.S.C. 101 for being directed to non-statutory subject matter. However, the Office Action set forth that amending the independent claim 29 to recite "executable instruction" in place of only "instructions" would be sufficient to overcome the rejection as to Claims 29-38. Applicant respectfully submits that claim 29 has been amended as suggested by the Examiner, and reconsideration thereof is respectfully requested of Claims 29-36.

Claim 38 has been cancelled and so the rejection to claim 38 is now moot.

V.   Claim Rejections under 35 U.S.C. §103

In the Office Action mailed March 26, 2007, Claims 1-3, 8, 9, 11-15, 17-19, 22, 24, 25, 29, 32, 34 and 36-38 were rejected under 35 U.S.C. 103(a) as being unpatentable over Shen et al. (US 2004/0221322 A1) (hereinafter "Shen") in view of Plow et al. (US 6,429,883 B1) (hereinafter "Plow"). Claims 4-7, 10, 20, 21, 23, 30, 31 and 33 were rejected under 35 U.S.C. 103(a) as being unpatentable over Shen in view of Plow in view of Takata et al. (EP 0990998 A2) (hereinafter "Takata"). Claims 16, 26 and 35 were rejected under 35 U.S.C. 103(a) as being unpatentable over Shen, in view of Plow, and further in view of Smith (US 5,933,141) (hereinafter "Smith"). Claims 27 and 28 were rejected under 35 U.S.C. 103(a) as being unpatentable over Shen, in view of Plow, and further in view of Frank et al. (US 5,651,107) (hereinafter "Frank").

Claim 1

Claim 1 has been amended by the current Reply to more clearly define the embodiment therein. As amended, Claim 1 defines:

> 1.   A system to support multimedia content browsing on small mobile devices, comprising:
> a multimedia content database;
> a processing component which searches for and retrieves one or more multimedia contents from the multimedia content database, wherein the processing component transmits the one or more multimedia contents to a browsing component over a

> communication network; and
>> said browsing component which renders the one or more multimedia contents on one or more layers on the browsing component, wherein each of the one or more layers are rendered on top of each other in an alignment, wherein each of the one or more layers has a transparency value; and wherein the browsing component sets the transparency value of each of the one or more layers independently, interactively, and continuously via one or more input devices.

Claim 1, as currently amended, defines a system to support multimedia content browsing on small mobile devices. This system comprises a multimedia content database, a processing component, and a browsing component. Focusing on the browsing component, the browsing component: (1) renders the one or more multimedia contents on one or more layers; (2) renders the layers on top of one another in an alignment; and (3) sets the transparency values of each layer independently, interactively and continuously, even when the layers are rendered on top of each other in an alignment. Applicant respectfully submits that these features are not obvious in view of the cited references.

Shen discloses methods and systems for video content browsing. Shen does disclose a system for video content browsing. However, Shen's use of overlapping display areas in its "browsing component" appears to be entirely different from Applicant's use of transparent layers. The idea of overlapping display areas found in Shen is similar to overlapping windows in the Microsoft Windows operation system, where application windows displaying various content can be moved around and placed on top of one another so that they overlap. When one layer completely overlaps another layer in Shen, the properties of the underlying and/or hidden layer cannot be accessed.

In contrast, the idea of transparent layers in Applicant's Claim 1 is analogous to a stack of transparent tracing paper used by artists and designers for drawing and drafting. The layers used in this embodiment defined by Claim 1 are stacked on top of one another *in an alignment* so that users do not have to interact with the display areas by moving or stretching them around in the xy-plane. Claim 1 has been amended to clarify this aspect of Applicant's invention. Rather than interact with display areas by moving or stretching them, users of Applicant's system interact with the system by adjusting the layers' transparency levels independently, interactively and continuously. Consequently, the multiple layers can be viewed simultaneously when the layers are

rendered in an alignment with one other. Shen does not disclose a system whereby multiple layers which are in an alignment with one another can be viewed at the same time.

Plow discloses a method for viewing hidden entities by varying window or graphic object transparencies. More specifically, Plow appears to use the same "Windows" style overlapping display system used in Shen. Plow builds on the ideas found in Shen by adding the ability to adjust the transparency levels of the layers. Nevertheless, in Plow, if the display areas are stacked in an alignment as in Applicant's invention, then only the top layer's transparency buttons are accessible because the top layer covers up all of the other layers' transparency buttons. Thus, only the top display area can be adjusted, and the transparency values of the underlying layers cannot be adjusted *independently*. Accordingly, Plow does not disclose a system whereby the transparency values of multiple layers can be adjusted independently when the layers are in an alignment with one another.

Finally, while not specifically relied upon in rejecting Claim 1, neither Takata, Smith or Frank, alone or in combination, teach a system which: (1) renders the one or more multimedia contents on one or more layers; (2) renders the layers on top of one another in an alignment; and (3) sets the transparency values of each layer independently, interactively and continuously, even when the layers are rendered on top of each other in an alignment. Takata deals with keyword searches and is therefore irrelevant. Smith deals with adjustment controls overlayed on top of a content layer, but does not appear to address setting the transparency values of one or more multimedia contents on one or more layers whereby the transparency values of each layer are set independently, interactively and continuously. Frank deals with adjusting transparency values in the x direction by an input device, but does not appear to address setting the transparency values of one or more multimedia contents on one or more layers whereby the transparency values of each layer are set independently, interactively and continuously.

In view of the above comments, Applicant respectfully submits that Claim 1, as amended, is not obvious in view of the cited references, and reconsideration thereof is respectfully requested.

Claims 19, 29, 37 and 39

Independent Claims 19, 29, 37 and 39 have been amended or added similar to Claim 1 to more clearly define the embodiment therein. Accordingly, Applicant respectfully submits that

Claims 19, 29, 37 and 39, as amended or added, are likewise not obvious in view of the cited references, and reconsideration thereof is respectfully requested.

Claims 2-18, 20-28 and 30-36

Claims 2-18, 20-28 and 30-36 are not addressed separately but it is respectfully submitted that these claims are allowable as depending from an allowable independent claim and further in view of the amendments to the independent claims, and the comments provided above. Applicant respectfully submits that these Claims are similarly not obvious in view of the cited references, and reconsideration thereof is respectfully requested. It is also submitted that these claims also add their own limitations which render them patentable in their own right. Applicant respectfully reserves the right to argue these limitations should it become necessary in the future.

VI.   Conclusion

In view of the above amendments and remarks, it is respectfully submitted that all of the claims now pending in the subject patent application should be allowable, and reconsideration thereof is respectfully requested. The Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting issuance of a patent.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this reply, including any fee for extension of time, which may be required.

Respectfully submitted,

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